

RCE/3729
Jfw

ATTORNEY DOCKET NO.: 051252-5198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Michael P. DALLMEYER et al.) Confirmation No.: 4276
)
Application No.: 09/820,672) Group Art Unit: 3729
)
Filed: March 30, 2001) Examiner: P. Kim
)
For: METHOD OF MANUFACTURING A)
MODULAR FUEL INJECTOR)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered.)
 - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ☐ Other: _____
- ☒ Enclosed:
- ☒ Preliminary Amendment
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement
 - ☐ Form 1449
 - ☐ Other: _____

10/19/2004 EFLORES 00000016 500310 09820672

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2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$790.00

☐ \$395.00 (for small entity)

(b) Extension of Time

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input checked="" type="checkbox"/> five months	\$2,080.00	\$1,040.00

An extension for one month has already been secured on May 26, 2004 and the fee paid therefor of \$110.00 is deducted from the total fee due for the total months of extension now requested. According, the extension of time fee due with this request is **\$1,970.00**.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

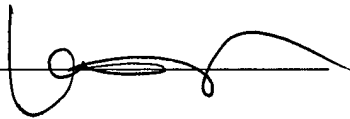
- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$2,760.00**, representing \$790.00 for the RCE filing fee and \$1,970.00 for the five-months extension of time fee.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: October 15, 2004

By:


Khoi Q. Ta
Reg. No. 47,300

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ATTORNEY DOCKET NO. 051252-5189

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Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

In response to the Final Office Action mailed November 14, 2003, the Advisory Actions mailed March 04, 2004 and June 23, 2004, which period for response extends through June 15, 2004 by the filing of a Notice of Appeal on March 15, 2004, and is further extended by the concurrently filed petition for the fifth-month extension of time to October 15, 2004, applicants submit this Amendment and Request for Reconsideration with the concurrently filed Request for Continued Examination:

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